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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,309	08/27/2001	Virginia Pact Richter	4164-101 CON	5504
23448	7590	10/18/2004	EXAMINER	
INTELLECTUAL PROPERTY / TECHNOLOGY LAW			SPIVACK, PHYLLIS G	
PO BOX 14329			ART UNIT	PAPER NUMBER
RESEARCH TRIANGLE PARK, NC 27709			1614	

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

100804

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Commissioner for Patents

The Amendment filed August 2, 2004 canceling all claims drawn to the elected invention, i.e., methods of combating movement disorder in a patient experiencing or susceptible to same, by administering a neurotransmission modulating composition comprising a 5HT antagonist and/or alpha-2 antagonist, and presenting only claims drawn to non-elected inventions is non-responsive (MPEP 821.03). The new claims are not readable on the elected invention because they are directed to methods of combating movement disorder in a patient experiencing or susceptible to such movement during treatment with a dopaminergic medication, an anticonvulsant medication or an antianxiolytic medication comprising administering mirtazapine, as well as compositions comprising (i) a dopaminergic medication, an anticonvulsant medication or an antianxiolytic medication and (ii) mirtazapine.

Applicants are given a ONE MONTH time limit or until the expiration of the response period set in the last Office Action, whichever is longer, to complete the response. NO EXTENSION OF THIS TIME LIMIT WILL BE GRANTED UNDER EITHER 37 CFR 1.136(a) OR (b), but the period for response set in the last Office Action may be extended up to a maximum of SIX MONTHS.

Any inquiry concerning this communication should be directed to Phyllis Spivack at telephone number 571-272-0585.

Phyllis G. Spivack  
Primary Examiner  
Art Unit: 1614  
October 8, 2004

**PHYLLIS SPIVACK**  
**PRIMARY EXAMINER**